

MEMO ENDORSED

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VIA ECF

The Honorable J. Katherine Polk Failla
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Ex Parte Application of Genentech, Inc. For an Order Pursuant to 28 U.S.C. § 1782 Granting Leave to Obtain Discovery from Goodwin Procter, LLP for Use in Foreign Proceedings, 1:17-mc-00515*

Dear Judge Failla:

I write on behalf of all parties in the above matter to inform the Court that the parties have reached an agreement in principle that would resolve their dispute over Genentech's application, but have one outstanding issue that remains unresolved at this stage of their negotiations. The parties are optimistic that this remaining issue will be resolved through additional negotiation. Should it not be, the parties believe that it would be more efficient to submit this very limited issue to the Court for resolution at the February 13 hearing, rather than briefing and adjudicating the overall merits of Genentech's application at this time.

The current deadline for the opposition and reply are February 2, 2018 and February 9, 2018, respectively. In view of the likely amicable resolution of this dispute, the parties request that the existing briefing deadlines be replaced with a single date, February 9, for the parties to submit 3-page letters explaining the remaining dispute to the Court, if any dispute remains. The parties will promptly inform the Court on or before February 9 if the February 13 hearing is no longer necessary.

Respectfully submitted,

/s/ Robert V. Cerwinski

Robert V. Cerwinski (RC8114)

Application GRANTED. The Court shall make no further revisions to the briefing schedule in this matter absent extremely good cause.

Dated: February 2, 2018
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE